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November 20, 2007

The Honorable Gregory M. Sleet  
United States District Court  
844 King Street, Lock Box 19  
Wilmington, DE 19801

RE: Horan v. Danton, et al.  
1:07-cv-00629-GMS

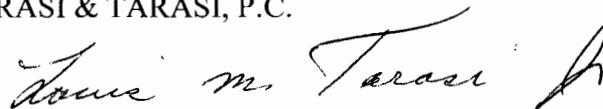
Dear Judge Sleet:

This matter came before David B Stratton, Esquire for mediation pursuant to this Court's Standing Order of July 23, 2004. Both parties have advised Mr. Stratton that mediation of this matter would be of no avail, and he has advised us to write to you so that this matter can proceed to briefing.

This matter was before Your Honor previously. At that time, you directed the parties to mediate. Given the positions of the parties, however, you waived the mediation requirement and set the matter for briefing and decision. Nothing has changed as to the relative positions of the parties, after remand by the Third Circuit, and we would jointly ask that the mediation requirement set by the Standing Order be waived, and the Briefing Schedule on this matter issue.

Sincerely,

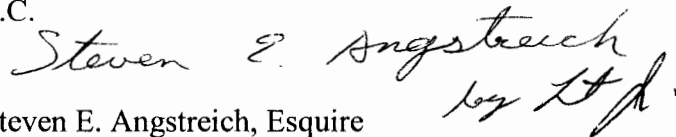
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Louis M. Tarasi, Jr., Esquire  
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AND

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Steven E. Angstreich, Esquire  
Counsel for Appellee

cc:  
David B. Stratton, Esquire